

PLANNING, ZONING & BUILDING COMMISSION

CITY HALL

April 14

14

**The City of Cortland Planning, Zoning & Building Commission met on Monday, April 14, 2014 at 6:45 P. M. at the City Administration Building, 400 N. High Street, Cortland, Ohio. In attendance were the following board members: Chairman, Bill Sasse, Sally Lane, James Chubb, and John Picuri. Also present were Mayor Curt Moll, Service Director Don Wittman, Law Director Patrick Wilson and the following individuals:**

<b>Paul Hovis</b>	<b>2577 Northview Dr.</b>	<b>Cortland</b>
<b>Ted Webb</b>	<b>1979 Timbercreek Dr.</b>	<b>Cortland</b>
<b>Frank W. Parke</b>	<b>3354 Warren Meadville</b>	<b>Cortland</b>
<b>Betty Robbins</b>	<b>199 Stahl Ave.</b>	<b>Cortland</b>
<b>Michael D. Mills</b>	<b>4138 Hoagland Blackstub</b>	<b>Cortland</b>

**Bill Sasse:** It is 6:45, Monday, April 14, 2014. I would like to call to order the Cortland Planning, Zoning and Building Commission for Public Hearing 06-14. The purpose of the public hearing is to consider the Zoning Determination for various parcels with a non-taxable designation on the zoning map.

You will be given an opportunity to speak for or against the zoning determination. We just ask that all speakers step to the podium, state your name, address, and refer to the property about which you will be commenting.

I would like to ask Don Wittman, the City of Cortland Service Director, to speak on behalf of the city and the recommended zoning determinations.

**Don Wittman:** Thank you, Chairman. The recommended determination for each of these parcels was based on a review of the current land-use, zoning of adjacent properties and the city’s long term comprehensive plan. As you’re aware, the board reviewed each of these recommendations at a work session and were in agreement with those.

So at this time, I would like to go over the individual zoning recommendations for each of the null parcels and give a brief description of that.

- The first set of parcels is the land owned by the State of Ohio. This is the park property surrounding Turkey Run Trail currently shown as non-taxable. The recommended zoning is R-15 which is consistent with property that is annexed into the city, typically large tracts of land. This is the most restrictive zoning and it affords the greatest protection to adjacent properties.
- The next parcel would be the cemetery located on Main Street, owned by the Bazetta Township Trustees which until a few years ago was also jointly owned by the City of Cortland. That also is shown as non-taxable and the recommended zoning is R-15 for the same reasons providing the greatest amount of protection to residents as well as surrounding areas.
- Also adjacent to the park property is the City Lab, which is owned by the City of Cortland, although the deed still says the Village of Cortland. This was shown as non-taxable and this too would go to R-15.
- Similar to that is the parcels known as Pearl Park. These are non-taxable and the recommended zoning is R-15.
- The next parcel would be the Prince of Peace and Creekside Commons. The church portion was shown as non-taxable, the Creekside Commons were shown as a Planned Development, which neither of those are a zoning classification. In order to comply with the comprehensive plan and the surrounding areas, the recommendations is for RM, Residential Multi-family. That meets the current use

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of the apartment complex as well as churches being allowed within a residential multi-family district.

- The next parcel designated as #6 is the City Fire Station that would go to the surrounding areas of RM, residential multi-family.
- #7 – We are looking at the Methodist Church. There are two parcels that front along High Street that are shown non-taxable and a rear parcel that is adjacent to the Opera House and actually I think it is the Opera House's parking. The proposal is to give an S-1, Service District designation to the parcels on High Street and the landlocked parcel would go to RM which is consistent with the adjacent parcels.
- Next being the Opera House. That also would go to RM, Residential Multi-family.
- The next set of parcels we are looking at is over near Cortland Christian Church and includes the Grove Cemetery which is owned by the City of Cortland. The contiguous parcels would also be the Cortland Christian Church. Those would all go to RM, Residential Multi-family – consistent with the surrounding neighborhood.
- Number 10 is Willow Park and that pre-dates zoning, possibly, in the City of Cortland. That is where we first had water works developed in 1937 and then they acquired property on the east side shortly thereafter. I don't see that ever not being city park property but we would like to make that R-10, consistent with the residential parcels surrounding that.
- The next grouping of parcels is the Nazarene Church, and the proposed zoning on that is RM, Residential Multi-family consistent with the surrounding parcels.
- The next group of parcels are the Lakeview Board of Education buildings which include the middle school and the high school and several adjacent properties. The proposal would be to go a R-10 designation and schools are a permitted use within that single family residential zoning designation.
- Lastly, we have the First Church of God designated as area 14. The front parcel would be going to S-1 because it has frontage on High St. and the other two parcels would go to R-10 consistent with the area surrounding that.

Those are the proposed designations for the record just to reiterate what this board has reviewed and decided and discussed at the work session.

**Bill Sasse**: Is there anyone to speak FOR the recommended zoning determinations?

**Bill Sasse**: Is there anyone to speak AGAINST the recommended zoning determinations? Seeing no further comments, I would like to ask for a motion to close Public Hearing 06-14. **Jim Chubb** made a motion to close the public hearing, seconded by **Sally Lane**.

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**The City of Cortland Planning, Zoning & Building Commission met on Monday, April 14, 2014 at 6:55 P. M. at the City Administration Building, 400 N. High Street, Cortland, Ohio. In attendance were the following board members: Chairman, Bill Sasse, Sally Lane, James Chubb, and John Picuri. Also present were Mayor Curt Moll, Service Director Don Wittman, Law Director Patrick Wilson and the following individuals:**

<b>Paul Hovis</b>	<b>2577 Northview Dr.</b>	<b>Cortland</b>
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<b>Michael D. Mills</b>	<b>4138 Hoagland Blackstub</b>	<b>Cortland</b>

**Bill Sasse:** It is 6:55, Monday, April 14, 2014. I would like to call to order the Cortland Planning, Zoning and Building Commission for Public Hearing 07-14. The purpose of the public hearing is to consider the Zoning Determination for Huntington Acres Plat #1 and re-plats with an agricultural designation on the zoning map.

You will be given an opportunity to speak for or against the Zoning Determination. We ask that all speakers step up to the podium, state your name, address, and refer to the property about which you will be commenting. The Commission will be voting during our regular meeting on whether to send these recommendations to City Council.

I would like to ask Don Wittman, the City of Cortland Service Director, to speak on behalf of the city and the recommended zoning determinations.

**Don Wittman:** Thank you, Chairman. This one is a little easier. Back when this property was rezoned to large size lots, I believe it was one acre minimum. It was given an agricultural designation, I think for the purpose of some sort of tax break which the auditor no longer recognizes or never recognized from the outset since there isn't actually any agricultural activities going on within that subdivision. With the passage of the 1995 zoning ordinance, the agricultural district was abolished, but still remained depicted on the zoning map as agricultural. The recommendation is to accurately depict those as R-15 in our current zoning code to best fit the current use of those parcels with a zoning designation. All property owners were notified and given an opportunity to ask questions about it. There were a few, but most people were satisfied with the explanation.

**Bill Sasse:** Is there anyone to speak FOR the recommended zoning determinations?

**Mayor Moll:** I would make a comment that I have heard comments from that group of people and that generally they were unconcerned unless their tax rates would change, and they wouldn't so they were okay.

**Patrick Wilson:** If anything getting rid of the agricultural designation protects them going forward.

**Bill Sasse:** Is there anyone to speak AGAINST the recommended zoning determinations? Seeing no further comments, I would like to ask for a motion to close Public Hearing 07-14. **John Picuri** made a motion to close the public hearing, seconded by **James Chubb**.

**Bill Sasse:** Public Hearing for 07-14 is closed.

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**The City of Cortland Planning, Zoning & Building Commission met on Monday, April 14, 2014 at 7:00 P. M. at the City Administration Building, 400 N. High Street, Cortland, Ohio. In attendance were the following board members: Chairman, Bill Sasse, Sally Lane, James Chubb, and John Picuri. Also present were Mayor Curt Moll, Service Director Don Wittman, Law Director Patrick Wilson and the following individuals:**

<b>Paul Hovis</b>	<b>2577 Northview Dr.</b>	<b>Cortland</b>
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<b>Michael D. Mills</b>	<b>4138 Hoagland Blackstub</b>	<b>Cortland</b>
<b>Allen Vanscoy</b>	<b>135 Carolyn Ave.</b>	<b>Cortland</b>
<b>John Gnat</b>	<b>848 Woodland St.</b>	<b>Warren</b>

**Bill Sasse:** It is 7:00, Monday, April 14, 2014. I'd like to call to order the regular meeting of Cortland Planning, Zoning & Building Commission. Can we have roll call please?

**Roll Call:** Bill Sasse, here; Sally Lane, here; John Picuri, here; Charles Peck, absent; Jim Chubb, here.

**Bill Sasse:** Can I have a motion for approval of commission minutes for March 10, 2014 meeting?

**John Picuri** made a motion to approve March 10, 2014 meeting minutes, seconded by **Sally Lane**.

**Roll Call:** John Picuri, yes; Charles Peck, absent; Sally Lane, yes; Jim Chubb, yes; Bill Sasse, yes. **MOTION APPROVED.**

**Bill Sasse:** Having no Old Business on the agenda, we will move on to New Business. Can I have a motion for approval of **06-14:** Zoning Determination, at the request of the Service Director, for various parcels with a non-taxable designation on the zoning map as shown in the attached table? **Sally Lane** made a motion for approval of **06-14**, seconded by **Jim Chubb**.

**Bill Sasse:** Does anyone have any further questions?

**Don Wittman:** Mr. Chairman, I would just like to put on the record that we were fortunate to have the Bazetta Trustees attend this meeting as well as Mr. Mills, the Zoning Inspector. They have reviewed our ordinances with a fine toothed comb and pointed out that new cemeteries would only be permitted within an area zoned Service District and this would affect Hillside Cemetery. Before the board this evening is the R-15 designation and the R-15 was proposed based on what's going to happen with the state park property as well as the city property in that area and comports with our comprehensive plan. Their point would be valid as far as you would not be able to develop or create a cemetery in an area that is zoned R-15. However, the Hillside Cemetery is an existing cemetery that will be able to continue to be used as a pre-existing non-conforming use under the R-15. And I see Patrick, our Law Director, nodding his head so I believe he agrees with that determination as well.

**Patrick Wilson:** I do. I agree wholeheartedly.

**Bill Sasse:** I too would like to thank you for coming and showing your concern. It is a pleasure to have two communities work together like this. Thank you.

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**Bill Sasse**: Can we have a vote on 06-14?

**Roll Call**: **Jim Chubb, yes; Sally Lane, yes; Bill Sasse, yes; John Picuri, yes; Charles Peck, absent. MOTION PASSED.**

**Bill Sasse**: Can I have a motion for approval of **07-14**: Zoning Determination, at the request of the Service Director, for various parcels located in Huntington Acres Plat #1 and re-plats with an agricultural designation on the zoning map as shown in the attached table? **John Picuri made a motion for approval of 07-14, seconded by Sally Lane.**

**Bill Sasse**: Are there any further questions or comments? Hearing none, can I have a vote on 07-14?

**Roll Call**: **John Picuri, yes; Jim Chubb, yes; Sally Lane, yes; Charles Peck, absent; Bill Sasse, yes. MOTION PASSED.**

**Bill Sasse**: Can I have a motion for approval of **08-14**: New Sign - 105 S High St. – El Torero – Pole Mounted Sign – 3’6” x 7’, Indirect Lighting. **Jim Chubb made a motion for approval of 08-14, seconded by Sally Lane.**

**Bill Sasse**: Who do we have that is here this evening to speak?

**John Gnat**: John Gnat, 848 Woodland, Warren. It is nice to see you all. Yes this is a 3’6” x 7’ sign that is internally illuminated. I know you mentioned indirect but we call it internally illuminated with fluorescent lamps.

**Don Wittman**: Our antiquated application: Direct would be if you had a spotlight, indirect would be internally lit.

**John Gnat**: I understand.

**Bill Sasse**: This will be basically in the same spot the old sign was.

**John Gnat**: We are going to utilize the two posts that are there and dress them up a little bit with some new paint.

**Bill Sasse**: It is nice to see a very professional looking sign going in there.

**John Gnat**: Thank you.

**Mayor Moll**: Is it the same graphics you used down in Warren?

**John Gnat**: Yes it is the same as on Elm Road. Same people, same sign.

**Bill Sasse**: Any questions, Don?

**Don Wittman**: Just a comment in that it is going in the same location, it should not be impacted by the future bridge replacement, intersection widening project. And I think we hinted toward them – I think they were looking possibly at a larger pole mounted sign, but I think if they are going to do that it may be at a later point once that roadway is completed.

**Jim Chubb**: What are they doing on the parking by the door? Are they backing in and do we want that?

**Don Wittman**: With the new design, the parking is going to be completely unavailable.

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**Mayor Moll:** There is going to be a sidewalk there so you will have to park behind the building. It is a temporary problem and are the back-in signs still there? Backing in makes it a little safer.

**Bill Sasse:** Can we have a vote on 08-14?

**Roll Call:** Sally Lane, yes; Bill Sasse, yes; Jim Chubb, yes; John Picuri, yes; Charles Peck, absent. **MOTION PASSED.**

**Bill Sasse:** Thank you. Does anyone have anything they would like to bring before the board?

**Patrick Wilson:** Bill, I think we should commend Terri and Don for getting this zoning map cleaned up and up to date. I know we are not finished but they brought it to this point and it is not an easy process.

**Bill Sasse:** They have done a fantastic job. Thank you, Don – it is another good step forward for Cortland. And what will the next step be, just for our information?

**Don Wittman:** We are going to look at the parcels that on their face the use does not conform with the zoning and there's a handful of those. There is the subdivision across the street here from City Hall – Highlands Ridge or Custer Estates. Those parcels were developed right before the change of the zoning code in 1995. That subdivision was accepted within an area that was zoned Industrial and is currently having homes constructed on them. Technically, I should not be issuing permits for that. However, because that area was allowed to be developed and created into single family lots under the Industrial Zoning Designation I can still issue permits on those. But it should go to an R-10 or RM designation. So that's an example of the type of changes we are going to make.

**Bill Sasse:** Do you want to address that in the fall or start working on that sooner?

**Don Wittman:** We will be able to bring those forward as time allows.

**Mayor Moll:** I was going to say, I don't think we need to group those necessarily the way we did these. I would attack Highlands Ridge all together one time by itself and then look at the rest of it. Just because I think that is going to generate a lot of questions.

**Bill Sasse:** Can I have a motion to adjourn?

**John Picuri made a motion to adjourn the meeting, seconded by Sally Lane.**

**Roll Call:** Bill Sasse, yes; Sally Lane, yes; Charles Peck, absent; Jim Chubb, yes; John Picuri, yes. **MOTION APPROVED.**

**Meeting Adjourned: 7:12pm.**

\_\_\_\_\_  
William Sasse, Chairman

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Date

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Teresa Barnovsky, Secretary